

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3744

In re

Patent Application of

Norman E. Street, et al.

Application No. 10/715,155

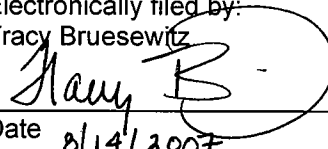
Confirmation No.: 4289

Filed: November 17, 2003

Examiner: Marc E. Norman

"DISTRIBUTED INTELLIGENCE CONTROL FOR  
COMMERCIAL REFRIGERATION"

Electronically filed by:  
Tracy Bruesewitz

  
Date 8/14/2007

**COMMENTS ON STATEMENT OF REASONS**  
**FOR ALLOWANCE UNDER 37 C.F.R. 1.104(e)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Examiner's statement of the reasons for allowance of the claims, contained within the Notice of Allowance and Fee(s) Due. The Examiner may have generalized some of the features of the independent claims and did not discuss the dependent claims. Therefore, the reasons set forth by the Examiner are not the only reasons claims 1-85 and 87 are allowable. Each of claims 1-85 and 87 may include additional patentable features or combinations of features not mentioned by the Examiner.

Applicants assert, with respect to independent claim 1, the prior art does not teach or suggest a commercial refrigeration system suitable for use in a supermarket, the commercial refrigeration system comprising:

a compressor, a condenser, a valve, a first evaporator coil, and a second evaporator coil, all of which are in fluid communication;

a first merchandiser adapted to be cooled by the first evaporator coil;

- a second merchandiser adapted to be cooled by the second evaporator coil;
- a system controller operable to control operation of the refrigeration system;
- a subsystem controller in communication with the system controller, the subsystem controller being operable to monitor at least one parameter of a subsystem having at least one of, but not all of, the compressor, condenser, valve, and first merchandiser, and being further operable to communicate information relating to the monitored parameter to the system controller and to execute a command from the system controller to affect the operation of the subsystem; and

wherein at least one of the compressor and condenser is located remotely from the first merchandiser and the second merchandiser.

Various dependent claims ultimately depend from claim 1. Accordingly, each of these dependent claims is believed to be allowable based upon claim 1 and upon other features recited in the claims, but not discussed herein.

Applicants assert, with respect to independent claim 78, the prior art does not teach or suggest a method of installing an aspect of a commercial refrigeration system comprising

- a compressor, a condenser, a valve, and an evaporator coil, all of which are in fluid communication,

- a first fixture adapted to be cooled by the first evaporator coil,

- a system controller operable to control operation of the refrigeration system including providing a command, and

- a subsystem controller in communication with the system controller, the subsystem controller being operable to control operation of a subsystem of the refrigeration system in response to the command, the subsystem including at least one of, the compressor, condenser, valve, and fixture, the method comprising:

- installing the system controller at a first location;

- installing the subsystem controller at a second location;

- connecting a source of electrical power to the system controller;

- installing a power and communication line between the system controller and the subsystem controller;

- during operation of the refrigeration system,

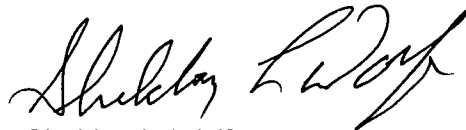
- communicating the command from the system controller to the subsystem controller over the power and communication line;

transmitting power from the system controller to the subsystem over the power and communication line concurrently with communicating the command; and

transmitting power from the system controller to the subsystem over the power and communication line nonconcurrently with communicating the command.

Various dependent claims ultimately depend from claim 78. Accordingly, each of these dependent claims is believed to be allowable based upon claim 78 and upon other features recited in the claims, but not discussed herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheldon L. Wolfe". The signature is fluid and cursive, with the first name "Sheldon" being more prominent than the last name "Wolfe".

Sheldon L. Wolfe  
Reg. No. 43,996

Docket No.: 047177-9060-US03

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